## EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert H. Kelly (Reg # 33,922) on February 12, 2010.

The application has been amended as follows:

33. (Currently Amended) A method to select a cell in a mobile communications equipment (MCE) when transitioning from a connected mode state to an idle mode state, the MCE configurable for use in a cellular network, the method comprising:

beginning state transition activity, the MCE currently in the connected mode state;

identifying a set of UMTS-based candidate cells, wherein at least one of the set of candidate cells is a cell which is not currently supporting the first connected mode state;

storing information comprising power measurement data relating to a plurality of candidate cells which are not currently supporting the connected mode state arising from past data gathering by the MCE, the information gathered previous to state transition activity;

selecting a candidate cell from the identified set of candidate cells that includes the at

least cell which is not currently supporting the connector mode state <u>based at least in part on the</u>

<u>power measurement data</u>; and

transitioning to an idle mode state from the connected mode state.

34. (Previously Presented) The method of claim 33 wherein said at least one of the

candidate cells which is not currently supporting the connected mode state is a cell identified to

the MCE by a network.

35. (Previously Presented) The method of claim 33 wherein said at least one of the

candidate cells which is not currently supporting the connected mode state is a cell neighboring a

cell supporting the connected mode state.

Claims 36-38 are cancelled.

39. (Previously Presented) The method of claim 33 where the connected mode state

comprises one of Cell_DCH, Cell_FACH, Cell_PCH, and URA_PCH.

40. (Previously Presented) The method of claim 33 where the identified candidate cell set

comprises active cell(s) used to support the connected mode state.

41. (Previously Presented) The method of claim 33 where the identified candidate cell set comprises the serving cell used to support the connected mode state.

42. (Currently Amended) A mobile communications equipment (MCE) configured for use in a cellular network, comprising:

a processor and operating environment configured to run software processes, the software processes configured to enable the MCE to transition from a connected mode state to an idle mode state, and to determine a set of UMTS-based candidate cells, wherein at least one of the set of candidate cells is a cell which is not currently supporting the connected mode state, and further configured to store information comprising power measurement data with respect to a plurality of candidate cells of the candidate cell set which are not currently supporting the connected mode state, the information gathered previous to the state transition and to select a candidate cell from the identified set of candidate cells that includes the at least one cell which is not currently supporting the connected mode state and based at least in part upon the power measurement data and to use the selected member when transitioning to the idle mode state from the connected mode state.

43. (Previously Presented) The MCE of claim 42 wherein the at least one of the candidate cells which is not currently supporting the connected mode state is a cell identified to the MCE by a network.

44. (Previously Presented) The MCE of claim 42 wherein the at least one of the candidate cells which is not currently supporting the connected mode state is a cell neighboring a cell supporting the connected mode state.

Claims 45-47 are cancelled.

48. (Previously Presented) The MCE of claim 42 where the connected mode state comprises one of Cell_DCH, Cell_FACH, Cell_PCH, and URA_PCH.

49. (Previously Presented) The MCE of claim 42 where the candidate cell set comprises active cell(s) used to support the connected mode state.

50. (Previously Presented) The MCE of claim 42 where the candidate cell set comprises the serving cell used to support the connected mode state.

51. (Currently Amended)  A method to select a cell in a mobile communications equipment (MCE)  when transitioning from a first connected mode state to a second connected mode state, the MCE configurable for use in a cellular network, the method comprising:

      beginning state transition activity, the MCE currently in the first connected mode state;

      identifying a set of UMTS-based candidate cells, wherein at least one of the candidate cells is a cell which is not currently supporting the first connected mode state;

storing information comprising power measurements with respect to a plurality of candidate cells of the identified candidate set relating to a plurality of candidate cells of the candidate cell set which are not currently supporting the first connected mode state arising from past data gathering by the MCE and corresponding to the same cell;

selecting a candidate cell from the identified set of candidate cells that includes the at least one cell which is not currently supporting the connected mode state and based at least in part on the power measurements; and

transitioning to the second connected mode from the first connected mode state using the selected candidate cell, where the first and second connected mode states are, each, one of: Cell_FACH, Cell_PCH, and URA_PCH.

52. (Currently Amended) The method of claim 51 wherein said at least one of the candidate cells which is not currently supporting the first connected mode state is a cell identified to the MCE by a network.

53. (Previously Presented) The method of claim 51 wherein said at least one of the candidate cells which is not currently supporting the first connected mode state is a cell neighboring a cell supporting the first connected mode state.

Claims 54-56 are cancelled.

57. (Previously Presented) The method of claim 51 where the candidate cell set comprises active cell(s) used to support the first connected mode state.

58. (Previously Presented) The method of claim 51 where the candidate cell set comprises the serving cell used to support the first connected mode state.

59. (Currently Amended) A mobile communications equipment (MCE) configured for use in a cellular network, comprising:

a processor and operating environment configured to run software processes, the software processes configured to enable the MCE to transition from a first connected mode state to a second connected mode state to store information comprising power measurements with respect to a plurality of candidate cells of the identified candidate cell set, the information gathered previous to the state transition, and to determine a set of UMTS-based candidate cells wherein at least one of the set of candidate cells is a cell which is not currently supporting the first connected mode state, and further configured to select a candidate cell from the identified set of candidate cells that includes the at least one cell which is not currently supporting the connected mode state and based at least in part upon the power measurement data and to use the selected member when transitioning to the second connected mode state from the first connected mode state where the first and second connected mode states are, each, one of: Cell_FACH, Cell_PCH, and URA_PCH.

60. (Previously Presented) The MCE of claim 59 wherein the at least one of the candidate

cells which is not currently supporting the first connected mode state is a cell identified to the

MCE by a network.

61. (Currently Amended) The MCE of claim 59 wherein the at least one of the candidate

cells which is not currently supporting the first connected mode state is a cell neighboring a cell

supporting the first connected mode state.

Claims 62-63 are cancelled.

64. (Previously Presented) The MCE of claim 59 where the candidate cell set comprises

active cell(s) used to support the first connected mode state.

65. (Previously Presented) The MCE of claim 59 where the candidate cell set comprises

the serving cell used to support the first connected mode state.

### *Reasons for Allowance*

The following is an examiner's statement of reasons for allowance:

Claims 1-32, 36-38, 45-47, 54-56, and 62-63 are cancelled.

**Claims 33-35, 39-44, 48-53, 57-61, and 64-65 are allowed.**

Consider **claim 33**, the best prior art of record found during the examination of the

present application, **3GPP TS 25.304 V4.50 (2002-06); UE Procedures in Idle Mode and**

**Procedures for Cell Reselection in Connected Mode (hereinafter 3GPP),** fails to specifically

disclose, teach, or suggest a method to select a cell in a mobile communications equipment

(MCE) when transitioning from a connected mode state to an idle mode state, the MCE

configurable for use in a cellular network, the method comprising: beginning state transition

activity, the MCE currently in the connected mode state; identifying a set of UMTS-based

candidate cells, wherein at least one of the set of candidate cells is a cell which is not currently

supporting the first connected mode state; storing information comprising power measurement

data relating to a plurality of candidate cells which are not currently supporting the connected

mode state arising from past data gathering by the MCE, the information gathered previous to

state transition activity; selecting a candidate cell from the identified set of candidate cells that

includes the at least cell which is not currently supporting the connector mode state based at least

in part on the power measurement data; and transitioning to an idle mode state from the

connected mode state.


**Claims 34-35 and 39-41** are allowable because it is dependent upon independent claim

33.


Consider **claim 42**, the best prior art of record found during the examination of the

present application, **3GPP TS 25.304 V4.50 (2002-06); UE Procedures in Idle Mode and**

**Procedures for Cell Reselection in Connected Mode (hereinafter 3GPP),** fails to specifically

disclose, teach, or suggest a mobile communications equipment (MCE) configured for use in a

cellular network, comprising: a processor and operating environment configured to run software

processes, the software processes configured to enable the MCE to transition from a connected

mode state to an idle mode state, and to determine a set of UMTS-based candidate cells, wherein

at least one of the set of candidate cells is a cell which is not currently supporting the connected

mode state, and further configured to store information comprising power measurement data

with respect to a plurality of candidate cells of the candidate cell set which are not currently

supporting the connected mode state, the information gathered previous to the state transition and

to select a candidate cell from the identified set of candidate cells that includes the at least one

cell which is not currently supporting the connected mode state and based at least in part upon

the power measurement data and to use the selected member when transitioning to the idle mode

state from the connected mode state.


Claims **43-44 and 48-50** are allowable because it is dependent upon independent claim

42.


Consider **claim 51,** the best prior art of record found during the examination of the

present application, **3GPP TS 25.304 V4.50 (2002-06); UE Procedures in Idle Mode and**

**Procedures for Cell Reselection in Connected Mode (hereinafter 3GPP),** fails to specifically

disclose, teach, or suggest a method to select a cell in a mobile communications equipment

(MCE)  when transitioning from a first connected mode state to a second connected mode state,

the MCE configurable for use in a cellular network, the method comprising: beginning state

transition activity, the MCE currently in the first connected mode state; identifying a set of

UMTS-based candidate cells, wherein at least one of the candidate cells is a cell which is not

currently supporting the first connected mode state; storing information comprising power

measurements with respect to a plurality of candidate cells of the identified candidate set relating

to a plurality of candidate cells of the candidate cell set which are not currently supporting the

first connected mode state arising from past data gathering by the MCE and corresponding to the

same cell; selecting a candidate cell from the identified set of candidate cells that includes the at

least one cell which is not currently supporting the connected mode state and based at least in

part on the power measurements; and transitioning to the second connected mode from the first

connected mode state using the selected candidate cell, where the first and second connected

mode states are, each, one of: Cell_FACH, Cell_PCH, and URA_PCH.


**Claims 52-53 and 57-58** are allowable because it is dependent upon independent claim

51.


Consider **claim 59**, the best prior art of record found during the examination of the

present application, **3GPP TS 25.304 V4.50 (2002-06); UE Procedures in Idle Mode and**

**Procedures for Cell Reselection in Connected Mode (hereinafter 3GPP),** fails to specifically

disclose, teach, or suggest a mobile communications equipment (MCE) configured for use in a

cellular network, comprising: a processor and operating environment configured to run software

processes, the software processes configured to enable the MCE to transition from a first

connected mode state to a second connected mode state to store information comprising power measurements with respect to a plurality of candidate cells of the identified candidate cell set, the information gathered previous to the state transition, and to determine a set of UMTS-based candidate cells wherein at least one of the set of candidate cells is a cell which is not currently supporting the first connected mode state, and further configured to select a candidate cell from the identified set of candidate cells that includes the at least one cell which is not currently supporting the connected mode state and based at least in part upon the power measurement data and to use the selected member when transitioning to the second connected mode state from the first connected mode state where the first and second connected mode states are, each, one of: Cell_FACH, Cell_PCH, and URA_PCH.

**Claims 60-61 and 64-65** are allowable because it is dependent upon independent claim 59.

*Conclusion*

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BOBBAK SAFAIPOUR whose telephone number is (571)270-1092. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Bobbak Safaipour/

Examiner, Art Unit 2618

February 14, 2010

/Matthew D. Anderson/

Supervisory Patent Examiner, Art Unit 2618